

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

SEARS HOLDINGS CORPORATION,

Case No. 18-23538 (RDD)

Debtor.

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**NOTICE OF HEARING FOR AN ORDER FOR  
RELIEF FROM THE AUTOMATIC STAY PURSUANT TO  
SECTION 362(d)(1) OF THE UNITED STATES BANKRUPTCY CODE**

**PLEASE TAKE NOTICE**, that upon the annexed motion of G.R., an individual, the undersigned will move this Court, before the Honorable Judge Robert D. Drain, United States Bankruptcy Judge, *at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004 on August 19, 2020*, for an Order: (i) pursuant to Section 362(d)(1) of the United States Bankruptcy Code, granting relief from the automatic stay so as to permit G.R. to continue an action against the Debtor and or the Debtor's subsidiaries in Sears, Roebuck, and Company and KMart, in the Circuit Court of the State of Oregon, County of Multnomah, for certain tort claims for sexual harassment arising out of a series of incidents in or around May through November 2017, as a result of which the movant sustained personal injuries and emotional distress; (ii) waiving the stay pursuant to Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure; (iii) holding that any recovery by G.R. against the Debtor for claims arising out of said incident(s) shall be limited to the policy limit(s) of the general liability insurance coverage maintained by or available to the Debtor and or its subsidiaries; (iv) holding that G.R. shall not seek additional recovery for claims arising out of said incident(s) from the Debtor and or its subsidiaries, its estate or successors, in excess of any

applicable general liability insurance policy limit(s); and (v) such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that except as otherwise ordered by the Court or required by the Bankruptcy Rules, any answering papers shall be served so as to ensure actual receipt not later than seven (7) days before the return date of this motion pursuant to Rule 9006-1 of the Local Bankruptcy Rules.

Dated: New York, New York  
July 28, 2020

MCLOUGHLIN, O'HARA,  
WAGNER & KENDALL, LLP

*/s/ Daniel M. O'Hara*

By: \_\_\_\_\_

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